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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The occupied Syrian Golan

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution 72/88, in which the Secretary-General was requested to report to the Assembly at its seventy-third session on the implementation of the resolution. It contains information from the Permanent Missions of Egypt, Ireland, Qatar and the Syrian Arab Republic and from the International Labour Organization.

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1. The present report is submitted pursuant to General Assembly resolution 72/88, in which the Assembly called upon Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel rescind forthwith its decision. In its resolution, the Assembly also called upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and, in particular, to desist from the establishment of settlements. The Assembly determined that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purported to alter the character and legal status of the occupied Syrian Golan were null and void, constituted a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and had no legal effect. The Assembly once again called upon Member States not to recognize any of the legislative or administrative measures and actions referred to in the resolution and requested the Secretary-General to report to the Assembly at its seventy-third session on the implementation of the resolution.

2. On 26 June 2018, the Office of the United Nations High Commissioner for Human Rights (OHCHR), on behalf of the Secretary-General, addressed a note verbale to Israel, in which Israel was asked to provide information on any measures that it had taken or envisaged taking concerning the implementation of the relevant provisions of the aforementioned resolution. At the time of reporting, no reply had been received.

3. On 25 June 2018, OHCHR, on behalf of the Secretary-General, sent notes verbales to the Permanent Mission of the Syrian Arab Republic and all other permanent missions to the United Nations in Geneva, inviting them to provide information on any steps that they had taken or envisaged taking in relation to the implementation of the relevant provisions of the resolution. Responses were received from the Permanent Missions of Egypt, Ireland, Qatar and the Syrian Arab Republic. In addition, pursuant to the request of the General Assembly and on behalf of the Secretary-General, OHCHR brought resolution 72/88 to the attention of United Nations organs, specialized agencies, international and regional intergovernmental organizations and international humanitarian organizations. A response was received from the International Labour Organization (ILO).

4. In its reply dated 6 July 2018, the Permanent Mission of the Syrian Arab Republic emphasized that, since 1967, the international community had rejected the Israeli occupation of the Syrian Golan, as reflected in several United Nations resolutions, most recently in General Assembly resolution 72/88. The Syrian Arab Republic recalled that, after 51 years of occupation, Israel continued its practices with impunity and with disregard for international law and United Nations resolutions, despite repeated calls to end the occupation and to halt its daily repressive practices in the occupied Syrian Golan.

5. The Syrian Arab Republic renewed its condemnation of and objection to the illegal decision of Israel to hold elections for the so-called local councils in the occupied Syrian Golan. It noted that the people of the occupied Syrian Golan had voiced similar concerns and objections, including through a public statement dated 11 July 2017.

6. According to the Syrian Arab Republic, Israel had persisted in its aggression and provocation by providing logistical support to what the Syrian Arab Republic

referred to as "terrorist groups" and the Nusrah Front — which is listed as a terrorist group in the Consolidated United Nations Security Council Sanctions List — operating in the separation zone as a consequence of the withdrawal of the United Nations Disengagement Observer Force. The Syrian Arab Republic further reported that Israel had itself conducted several military operations inside the Syrian Arab Republic in support of the aforementioned groups, which, according to the Syrian Arab Republic, was in flagrant violation of international law and the separation of forces agreement.

7. The Syrian Arab Republic condemned the Israeli settlement policy in the occupied Syrian Golan, noting that Israel continued to disregard the resolutions of the Security Council, the General Assembly and the Human Rights Council on the matter, most recently Assembly resolution 72/88. The Syrian Arab Republic further noted that the Assembly had often qualified Israeli settlements in the occupied Syrian Golan as illegal and called upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and, in particular, to desist from the establishment of settlements.

8. The Syrian Arab Republic condemned all Israeli practices and conduct aimed at controlling and exploiting natural resources in the occupied Syrian Golan, in violation of Security Council resolution 497 (1981) and General Assembly resolution 70/225, on the permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources. According to the Syrian Arab Republic, Israel continued to exploit the natural resources of the occupied Syrian Golan and allowed settlers exclusive use of those resources, while depriving the Syrian population of their benefits. The Syrian Arab Republic reiterated its concerns regarding the extraction of water by Israel from Mas'adah Lake to divert it to settler farms, considering that such action constituted a violation of the Fourth Geneva Convention and had led to an economic and environmental disaster for the occupied Syrian Golan. As another example of Israeli exploitation of natural resources, the Syrian Arab Republic warned of the seriousness of the decision of Israel to allow Genie Energy, a company based in the United States of America, to conduct oil prospecting operations in the occupied Syrian Golan.

9. Furthermore, as in previous years, the Syrian Arab Republic condemned the funding by the European Union in 2014 of a survey aimed at promoting alternative tourism in the Israeli settlements in the occupied Syrian Golan. It also called upon Member States to refrain, in accordance with their obligations under international law, from importing natural or manufactured products from the occupied territories.

10. The Syrian Arab Republic condemned the arbitrary arrests and the lack of due process and called upon the international community to urge Israel to immediately and unconditionally release two Syrian activists, namely Sidqi al-Miqt and Amal Abu Salah.

11. The Syrian Arab Republic reiterated its request to the Secretary-General, the United Nations High Commissioner for Human Rights, the President of the Human Rights Council and the International Committee of the Red Cross to pressure Israel to secure a healthy environment and condemned Israel for burying nuclear waste with radioactive content in areas populated by Syrian citizens of the Golan, particularly in the vicinity of Jabal al-Shaykh (Mount Hermon). The Syrian Arab Republic noted that the aforementioned act had put the lives of Syrians in the occupied Syrian Golan in jeopardy, with 30 per cent of deaths among the population caused by cancer-related diseases.

12. As in previous years, the Syrian Arab Republic called for international pressure on Israel to allow the Syrian population of the occupied Syrian Golan to visit their

families in the Syrian Arab Republic through the Qunaytirah crossing. It noted that the prevention of such visits was in violation of the Geneva Conventions and customary international humanitarian law and led to the suffering of Syrians in the occupied Syrian Golan. In addition, the Syrian Arab Republic noted that the Qunaytirah crossing had come under the control of the terrorist group Nusrah Front, which had benefited from Israeli support in establishing that control. This, according to the Syrian Arab Republic, had prevented students from the occupied Syrian Golan from pursuing their studies in the Syrian Arab Republic.

13. The Syrian Arab Republic concluded by stating that reaching stability in the Middle East and maintaining the credibility of the United Nations would require concrete measures to ensure the effective implementation of all relevant international resolutions aimed at ending the Israeli occupation of all occupied Arab territories, including the occupied Syrian Golan, in compliance with Security Council resolutions such as resolutions 242 (1967), 338 (1973), 497 (1981), and 2334 (2016).

14. On 3 July 2018, the Permanent Mission of Qatar transmitted to OHCHR, via a note verbale, a copy of the resolution on the occupied Syrian Arab Golan adopted by the Council of the League of Arab States during its twenty-ninth summit, held on 15 April 2018. In the resolution, the Council demanded, inter alia, that Israel immediately end its occupation of the Syrian Arab Golan, desist from changing its legal status and from establishing settlements and rescind all such measures and procedures. The Council called upon Member States to pressure Israel, the occupying Power, to end its illegal occupation of the Syrian Golan and to fully adhere to relevant international resolutions, including General Assembly resolution 71/99.

15. In a note verbale dated 27 June 2018, the Permanent Mission of Ireland stated that the Government of Ireland had not recognized any of the legislative or administrative measures and actions taken by the Government of Israel in the occupied Syrian Golan.

16. In a note verbale dated 5 July 2018, the Permanent Mission of Egypt stated that the Government of Egypt did not recognize any legislative or administrative measures or actions taken by the occupying Power in the occupied Syrian Golan or any of the occupied territories since 1967.

17. In a note verbale dated 12 July 2018, ILO shared with OHCHR an excerpt of its report on the situation of workers of the occupied Arab territories, which was submitted to the International Labour Conference at its 107th session, held in Geneva from 28 May to 8 June 2018.

18. ILO noted that Syrian farmers continued to suffer from discriminatory policies related to water and land access rights, limited marketability of crops, lack of access to the Syrian market and confiscation of land for security zones, natural reserves or development purposes. ILO recalled that Israeli settlers, together with the army, were reported to control 95 per cent of the land and that the expansion of the Syrian villages to accommodate their growing populations remained administratively constrained by Israeli planning and zoning policies.

19. ILO further reported that Israeli efforts to integrate the occupied Syrian Golan and its Syrian citizens into Israel had intensified, including by reinforcing investment in public infrastructure and providing village councils with increased public funding. In October 2018 and for the first time, village councils would be elected and not appointed. Israel planned to give Syrian citizens the right to vote in local council elections, but only Israeli passport holders would be eligible as candidates. According to ILO, the aforementioned developments heightened pressure on Syrian citizens to become legally integrated into Israel by obtaining Israeli citizenship.

20. In its report, ILO concluded that the cumulative effect of those developments was a rapidly emerging threat to Syrian identity in the occupied Syrian Golan and that the intensified efforts to fully integrate the occupied Syrian Golan into Israel were having a marked impact on perceptions and aspirations, particularly among youth.